

# Exhibit 17

# SOMALIA 2021 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Somalia is a federal parliamentary republic led by President Mohamed Abdullahi Mohamed “Farmaajo,” whom the bicameral parliament elected in 2017. Farmaajo is the country’s second president since the Federal Government of Somalia was founded in 2012. The federal parliament consists of the 275-member House of the People and the 54-member Upper House. The country last completed parliamentary elections in January 2017. Caucuses selected House of the People members, with seats distributed according to clan affiliation and a power-sharing formula. State assemblies elected Upper House members. The parliamentary electoral process was widely viewed as marred by corruption, but the two houses of parliament elected President Farmaajo in a process viewed as fair and transparent. The government of the self-declared Republic of Somaliland controlled its jurisdiction.

The 2012 provisional federal constitution states federal police, overseen by civilian leadership in the Ministry of Internal Security, have responsibility for law enforcement and maintenance of order within the country. Many parts of the country remained outside government control, with the insurgent Islamist group al-Shabaab contesting government control. The African Union Mission in Somalia, under civilian African Union leadership, and the Somali National Army, under civilian leadership in the Ministry of Defense, are the primary internal security providers. Civilian authorities did not always maintain effective control over the security forces. There were credible reports that members of the federal and state security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings, by government forces; torture and cruel, inhuman, or degrading treatment by the government; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; serious abuses in a conflict, including reportedly unlawful or widespread civilian harm, enforced disappearances or abductions, torture and physical abuses or punishment, and unlawful recruitment or use of child soldiers; serious

restrictions on free expression and media, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, censorship, and the existence of criminal libel laws; substantial interference with the freedom of peaceful assembly and freedom of association; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; lack of investigation of and accountability for gender-based violence; crimes involving violence or threats of violence targeting members of national/racial/ethnic minority groups; existence or use of laws criminalizing consensual same-sex sexual conduct between adults; and existence of the worst forms of child labor, including recruitment of children for use in armed conflict, forced labor, and commercial sexual exploitation.

Impunity generally remained the norm. Government authorities took some steps to prosecute and punish officials who committed abuses, particularly military and police personnel.

Conflict during the year involving the government, militias, and al-Shabaab resulted in death, injury, and displacement of civilians. Clan militias and al-Shabaab continued to commit grave abuses throughout the country. Al-Shabaab committed most of the severe human rights abuses, particularly terrorist attacks on civilians and targeted killings, including extrajudicial, and religiously and politically motivated killings; disappearances; cruel and unusual punishment; rape; and attacks on employees of nongovernmental organizations and the United Nations. Al-Shabaab also blocked humanitarian assistance, conscripted child soldiers, and restricted freedoms of speech, press, assembly, and movement. Operations by security forces caused civilian casualties.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports that the government or its agents committed arbitrary or unlawful killings (see also sections 1.g. and 2.b.). Military court prosecutors, with investigative support from police (Criminal Investigations Department), are

The adolescent birth rate was 140 per 100,000 women.

While data on access to menstruation hygiene was difficult to obtain, UNFPA reporting in May indicated that most young girls in Mogadishu had missed classes during their menstruation period, affecting their performance in school. The UN agency highlighted circumstances in which this problem drove women and girls to drop out of school. This particularly affected female IDPs. Based on cultural norms, most adolescent girls who became pregnant either were not in school or dropped out due to motherhood duties.

**Discrimination:** Women did not have the same status as men and experienced systematic subordination to men, despite provisions in the law prohibiting such discrimination. Women experienced discrimination in credit, education, politics, and housing.

Only men administered sharia, which often was applied in the interests of men. According to sharia and the local tradition of blood compensation, anyone found guilty of the death of a woman paid to the victim's family only one-half the amount required to compensate for a man's death.

The exclusion of women was more pronounced in al-Shabaab-controlled areas, where women's participation in economic activities was perceived as anti-Islamic.

While formal law and sharia provide women the right to own and dispose of property independently, various legal, cultural, and societal barriers often prevented women from exercising such rights. By law girls and women could inherit only one-half the amount of property to which their brothers were entitled. There were legal barriers to women working the same hours as men and restrictions on women's employment in some industries.

## **Systemic Racial or Ethnic Violence and Discrimination**

More than 85 percent of the population shared a common ethnic heritage, religion, and nomad-influenced culture. In most areas the dominant clan excluded members of other groups from effective participation in governing institutions and subjected them to discrimination in employment, judicial proceedings, and access to public services.

Minority groups, often lacking armed militias, continued to be disproportionately subjected to killings, torture, rape, kidnapping for ransom, and looting of land and property with impunity by faction militias and majority clan members, often with the acquiescence of federal and local authorities. Many minority communities continued to live in deep poverty and to suffer from numerous forms of discrimination and exclusion. Some observers believed minority clans' resentment concerning abuses made them more vulnerable to recruitment by al-Shabaab. Bantu advocacy groups stated the community's isolation from the government's security sector integration efforts pushed some Bantu youth into joining al-Shabaab.

Bantu communities, primarily living between the Juba and Shabelle Rivers in the southern part of the country, continued to face discrimination, including verbal abuse and being forced to adopt Arabic names. The discrimination also occurred in IDP camps, where Bantu women were not protected by traditional clan structure.

Fighting between clans resulted in deaths and injuries (see section 1.g.).

## Children

**Birth Registration:** Nationality is derived at birth from a Somali national father but not from the mother, nor from birth in the country's territory. Children of Somali mothers may acquire Somali nationality after two years. The provisional federal constitution provides that there is only one Somali citizenship and calls for a special law defining how to obtain, suspend, or lose it, but as of year's end, parliament had not passed such a law.

Authorities reportedly registered only a small percentage of births in the country. Failure to register births did not result in denial of public services such as education.

Although birth registration occurred in Somaliland, numerous births in the region were unregistered.

**Education:** The law provides the right to a free education up to the secondary level, but education was not free, compulsory, or universal. In many areas children